

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

CITIZENS FOR CLEAN ENERGY, et al.,

4:17-CV-00030-BMM

Plaintiffs,

and

THE NORTHERN CHEYENNE TRIBE,

ORDER

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
THE INTERIOR, et al.,

Defendants,

and

STATE OF WYOMING, et al.,

Defendant-Intervenors.

STATE OF CALIFORNIA, et al.,

Plaintiffs,

v.

U.S. DEPARTMENT OF THE INTERIOR,

et al.,

Defendants,

and

STATE OF WYOMING, et al.,

Defendant-Intervenors.

4:17-CV-00042-BMM

(CONSOLIDATED CASE)

ORDER

The Court granted Plaintiffs' Motion for Summary Judgment in part, ruling that the Bureau of Land Management's ("BLM") Final Environmental Assessment ("EA") of the Zinke Order failed to comply with National Environmental Policy Act ("NEPA") and Administrative Procedure Act ("APA") requirements. (Docs. 202 & 204.) The Court denied Federal Defendants,' State Intervenors,' and National Mining Association's ("NMA") Motions for Summary Judgment (Docs. 219, 223, & 225), and NMA's Motion to Dismiss (Doc. 210).

The Court vacated and remanded BLM's Final EA and associated Finding of No Significant Impact ("FONSI"). (Doc. 21 at 19.) The Court further ordered that the coal leasing program moratorium established by the Jewell Order shall be reinstated until the completion of sufficient NEPA review analyzing revocation of the moratorium. (*Id.*) The Court deferred a decision on Plaintiffs' claims based on the Federal Land Policy and Management Act ("FLPMA"), the Mineral Leasing Act ("MLA"), and the Federal Government's trust obligation until Federal Defendants have completed an appropriate NEPA analysis. (Doc. 214 at 17.)

The Court enters final judgment as to the August 12, 2022 Order. (Doc. 214.)

ACCORDINGLY, IT IS HEREBY ORDERED that:

- (1) The Clerk of Court is directed to close this case and enter judgment pursuant to Federal Rule of Civil Procedure 58.

DATED this 11th day of October, 2022.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with "Brian" on the top line and "Morris" on the bottom line.

Brian Morris
United States District Court Judge